

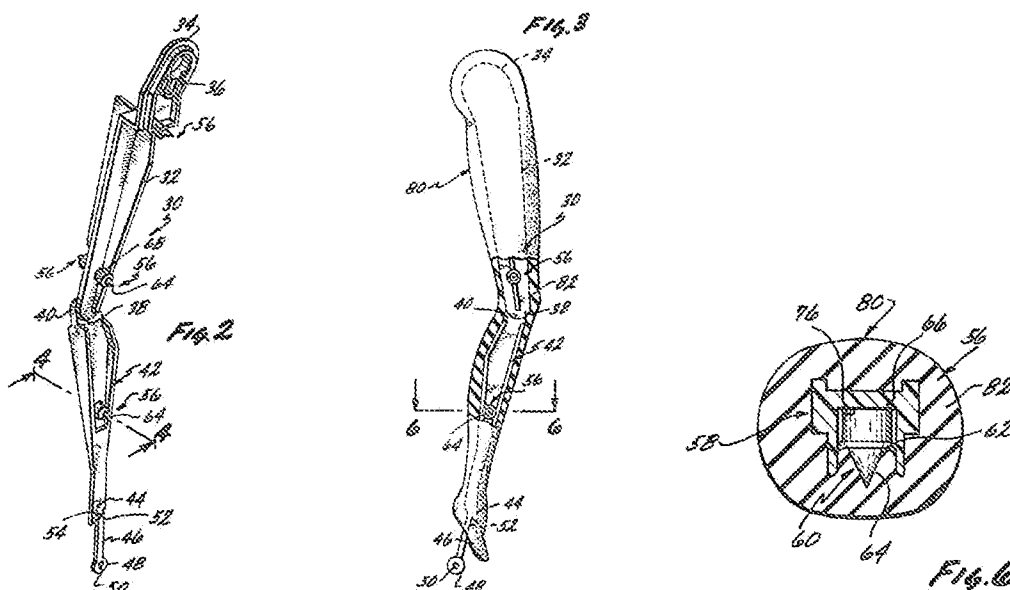
REMARKS

These remarks are responsive to the Office action mailed July 30, 2007. Claims 1-38 are pending in the application. Claims 1-6, 8-23, 25-34, and 36-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Piotrovsky (U.S. Patent No. 4,470,784). Claims 7 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Piotrovsky and Weis (U.S. Patent No. 2,174,932). Claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Piotrovsky and Hanf (U.S. Patent No. 3,609,911).

In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Rejections under 35 U.S.C. § 103

Piotrovsky appears to disclose a molding insert 30 which may be encased with a skin material 82 to form a doll. As shown in Figs. 2, 3, and 6 below, the insert has side extensions that hold the insert within the mold during forming. The final product is solid, as shown in the cross-sectional view of Fig. 6.



Applicant traverses the rejections as Piotrovsky fails to disclose or suggest a hollow insert. However, in the interest of furthering the prosecution of the application, the applicant has amended the independent claims to more particularly recite the invention. Support for the amendments is found at page 5, lines 4-6; page 11, line 19 to page 13, line 2; and Figs. 12-15.

In particular, claim 1 has been amended to recite a high-volume insert comprising a hollow body portion configured to form an inner supporting structure for an appendage of the toy figure and to maintain a hollow space and occupy at least 50% of a volume of an associated portion of the appendage. Piotrovsky does not disclose a hollow body portion configured to maintain a hollow space, as recited in amended claim 1. Instead, Piotrovsky discloses an insert encased in a skin that forms a solid doll portion. The high-volume insert recited in claim 1 is advantageous in that it reduces the amount of material required, thereby reducing the cost of the resulting product, waste, and shipping costs (refer to pages 4, line 18 - page 5, line 6 of applicant's specification). Applicant therefore respectfully requests the rejection of claim 1 be withdrawn. Claims 1-15 depend from and further limit claim 1 and should therefore be allowed when claim 1 is allowed.

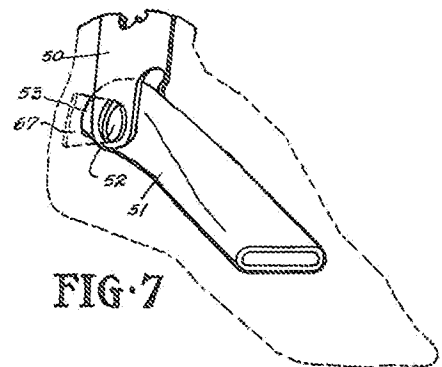
Claim 16 has been amended to recite a high-volume insert for a skeleton of an injection-molded toy figure comprising a first body segment and a second body segment detachably joined with the first body segment to form a body of the insert having a substantially hollow region between the first and second body segments. Piotrovsky does not disclose first and second body segments that join together and have a substantially hollow region between them. Applicant therefore respectfully requests that the rejection of claim 16 be withdrawn. Claims 17-24 depend from and further limit claim 16 and should therefore be allowed when claim 16 is allowed.

Claim 25 has been amended to recite at least one soft flesh-like outer layer molded over

an inner skeleton, the inner skeleton including at least one high-volume insert including a hollow body portion configured to occupy at least 50% of a volume of an associated portion of the limb, wherein the body portion remains hollow after the outer layer has been molded over the inner skeleton. Piotrovsky does not disclose an insert having a body portion that remains hollow after an outer layer has been molded onto the insert. Applicant therefore respectfully requests the rejection of claim 25 be withdrawn. Claims 26-30 depend from and further limit claim 25 and should therefore be allowed when claim 25 is allowed.

Claim 31 has been amended to include the subject matter of claim 35. Amended claim 31 recites a high-volume insert for an injection-molded toy figure comprising a hollow body portion substantially frustoconical in shape and configured to form an inner supporting structure for an appendage of the toy figure, wherein a maximum diameter of the body portion is configured to extend at least 70% across a diameter of the associated portion of the appendage. Piotrovsky does not disclose a hollow body portion, much less a body portion that is frustoconical in shape or that has a maximum diameter at least 70% of the diameter of the associated portion of the appendage. Piotrovsky discloses an insert formed of rectangular sections and therefore does not even disclose an insert have a diameter.

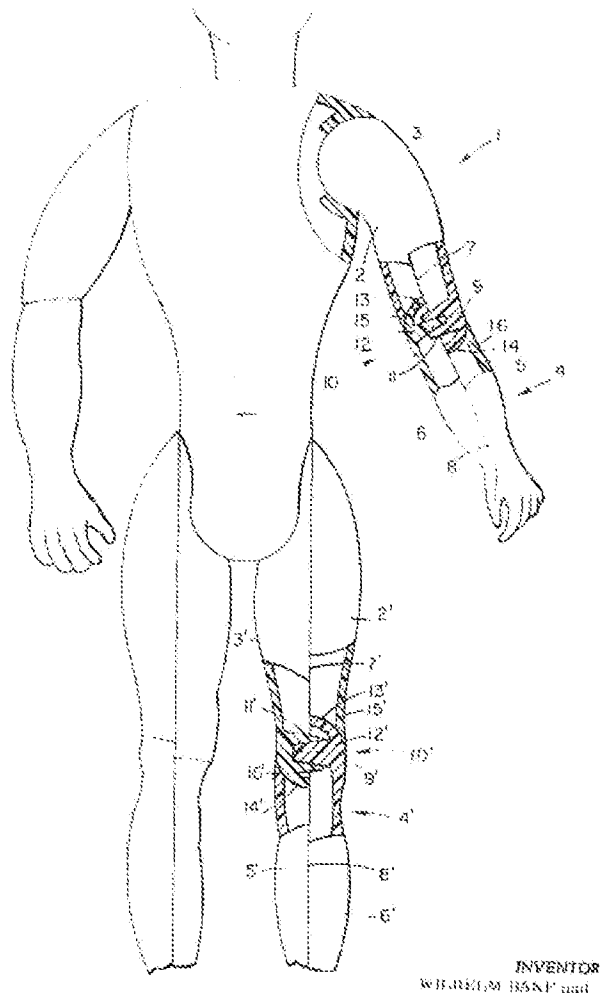
The deficiencies of Piotrovsky are not remedied by Weis et al. In particular, Weis et al. discloses a full-sized manikin having a skeleton formed of sheet metal covered in sponge rubber (page 2, lines 53-61). The skeleton of Weis et al. has open-ended segments to form the joints, as shown in Fig. 7, which would be inoperable if the manikin of Weis et al. were combined with the insert molded doll of Piotrovsky since the molding material would enter the skeleton.



A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), MPEP 2141.02. The combination of Piotrovsky and Weis et al. therefore teaches away from a hollow body portion that is substantially frustoconical in shape. For at least these reasons, claim 7 should be allowed. Claim 35 has been cancelled and the rejection is therefore moot.

Additionally, the deficiencies of Piotrovsky are not remedied by Hanf. Hanf appears to disclose a flexible limb for a doll, as shown in Fig. 1. The limb includes an elbow joint having a centering piece 11 and a conical lug 12 that fits into the centering piece (column 2, lines 39-44). The joint components are formed in arm halves 2, 3, 5, 6 to reduce production costs (column 1, line 58 -- column 2, line 3).

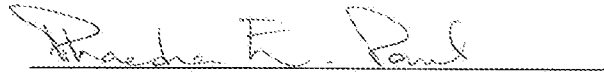
The doll of Hanf includes a joint within a smooth outer covering. Consequently, there would be no need to form an additional covering over the doll of Hanf. There is therefore no reason to combine the disclosure of Hanf with the disclosure of Piotrovsky, other than to form the subject matter of applicant's claim 24. Since such a hindsight combination is impermissible, the rejection of claim 24 should be withdrawn.



Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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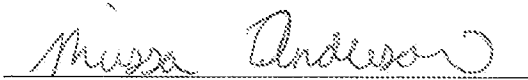
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